

AMENDED IN SENATE APRIL 18, 2006

SENATE BILL

No. 1474

Introduced by Senator Figueroa

February 23, 2006

An act to ~~amend Section 7303 of~~ *add Sections 7305 and 7320.5 to* the Business and Professions Code, relating to barbering and cosmetology.

LEGISLATIVE COUNSEL'S DIGEST

SB 1474, as amended, Figueroa. State Board of Barbering and Cosmetology.

Existing law, the Barbering and Cosmetology Act, provides for the licensure and regulation of the practice of barbering and cosmetology. Existing law establishes the State Board of Barbering and Cosmetology and provides for its membership. ~~Existing law makes these provisions inoperative on July 1, 2007 and repeals them on January 1, 2008.~~

This bill would require the board to annually elect officers from among its members, each of whom would hold office for a term of one year.

Under existing law, a licensee that uses an X-ray appliance, apparatus or machine in the treatment of any human being is guilty of a misdemeanor.

~~This bill would instead extend the operation and repeal of this provision to unspecified years.~~

The bill would make it a misdemeanor for any licensee to use a laser in the treatment of any human being.

Because this bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7305 is added to the Business and
2 Professions Code, to read:

3 7305. The board annually shall elect officers from among its
4 members, each of whom shall hold office for a term of one year.
5 An officer shall not serve, in a particular officer position, more
6 than two terms.

7 SEC. 2. Section 7320.5 is added to the Business and
8 Professions Code, to read:

9 7320.5. Any licensee who uses a laser in the treatment of any
10 human being is guilty of a misdemeanor.

11 SEC. 3. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the
16 penalty for a crime or infraction, within the meaning of Section
17 17556 of the Government Code, or changes the definition of a
18 crime within the meaning of Section 6 of Article XIII B of the
19 California Constitution.

20 ~~SECTION 1. Section 7303 of the Business and Professions~~
21 ~~Code is amended to read:~~

22 ~~7303. (a) Notwithstanding Article 8 (commencing with~~
23 ~~Section 9148) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of~~
24 ~~the Government Code, there is in the Department of Consumer~~
25 ~~Affairs the State Board of Barbering and Cosmetology in which~~
26 ~~the administration of this chapter is vested.~~

27 ~~(b) The board shall consist of nine members. Five members~~
28 ~~shall be public members and four members shall represent the~~
29 ~~professions. The Governor shall appoint three of the public~~

1 ~~members and the four professions members. The Senate~~
2 ~~Committee on Rules and the Speaker of the Assembly shall each~~
3 ~~appoint one public member. Members of the board shall be~~
4 ~~appointed for a term of four years, except that of the members~~
5 ~~appointed by the Governor, two of the public members and two~~
6 ~~of the professions members shall be appointed for an initial term~~
7 ~~of two years. No board member may serve longer than two~~
8 ~~consecutive terms.~~

9 ~~(e) The board shall appoint an executive officer who is exempt~~
10 ~~from civil service. The executive officer shall exercise the~~
11 ~~powers and perform the duties delegated by the board and vested~~
12 ~~in him or her by this chapter. The appointment of the executive~~
13 ~~officer is subject to the approval of the director. In the event that~~
14 ~~a newly authorized board replaces an existing or previous bureau,~~
15 ~~the director may appoint an interim executive officer for the~~
16 ~~board who shall serve temporarily until the new board appoints a~~
17 ~~permanent executive officer.~~

18 ~~(d) The executive officer shall provide examiners, inspectors,~~
19 ~~and other personnel necessary to carry out the provisions of this~~
20 ~~chapter.~~

21 ~~(e) This section shall become inoperative on July 1, _____, and,~~
22 ~~as of January 1, _____, is repealed, unless a later enacted statute,~~
23 ~~which becomes effective on or before January 1, _____, deletes or~~
24 ~~extends the dates on which it becomes inoperative and is~~
25 ~~repealed.~~